

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

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)
)
) MDL No. 1456
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THIS DOCUMENT RELATES TO:

) Civil Action No. 01-12257-PBS
)

) Judge Patti B. Saris
)

CLASS ACTIONS, *State of Montana v. Abbott*
Labs Inc., et al., 02-CV-12084-PBS, *State of*
Nevada v. American Home Prods. Corp., et al.
02-CV-12086-PBS, *State of Arizona v. Abbott*
Labs Inc., et al., 06-CV-11069-PBS

) Chief Magistrate Judge Marianne B. Bowler
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**WARRICK PHARMACEUTICALS CORPORATION'S
MOTION FOR LEAVE TO FILE UNDER SEAL**

Defendant Warrick Pharmaceuticals Corporation ("Warrick") respectfully requests from this Court leave to file under seal the following documents:

- Warrick Pharmaceuticals Corporation's Memorandum in Opposition to Certain Plaintiffs' Motion to Quash May 18, 2006 Amended Notice of Deposition of Harvey Weintraub and in Support of Cross Motion for Leave to Take Deposition of Harvey Weintraub for Purposes of Preservation of Testimony; and
- Declaration of Eric P. Christofferson Transmitting Documents Relied upon in Warrick Pharmaceuticals Corporation's Memorandum in Opposition to Certain Plaintiffs' Motion to Quash May 18, 2006 Amended Notice of Deposition of Harvey Weintraub and in Support of Cross Motion for Leave to Take Deposition of Harvey Weintraub for Purposes of Preservation of Testimony.

Warrick seeks this relief to preserve the confidentiality interests of Mr. Weintraub, now a former vice president and consultant of Warrick, because the above materials contain detailed information about Mr. Weintraub's medical conditions, the effect of those conditions on his health, the identity of Mr. Weintraub's primary care physician, and the treatments Mr. Weintraub

undergoes. Mr. Weintraub's confidentiality interests override the public's interest in viewing the terms and content of these materials.

Redacted versions of the documents described above will be filed publicly.

WHEREFORE, Schering and Warrick respectfully request that the motion for leave to file the aforementioned submission under seal be GRANTED.

By attorneys,

/s/ Eric P. Christofferson

John T. Montgomery (BBO#352220)

Steven A. Kaufman (BBO#262230)

Eric P. Christofferson (BBO#654087)

Ropes & Gray LLP

One International Place

Boston, Massachusetts 02110-2624

(617) 951-7000

*Attorneys for Schering-Plough Corporation and
Warrick Pharmaceuticals Corporation*

Dated: July 6, 2006

CERTIFICATE OF COMPLIANCE WITH LR. 7.1

I hereby certify that counsel for Schering and Warrick conferred with counsel for Plaintiffs in a good faith effort to resolve or narrow the issues set forth herein, and Plaintiffs consented to this motion.

/s/ Eric P. Christofferson
Eric P. Christofferson

CERTIFICATE OF SERVICE

I hereby certify that on July 6, 2006, I caused a true and correct copy of the foregoing to be served on all counsel of record by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL 1456.

/s/ Eric P. Christofferson
Eric P. Christofferson